



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,161	01/16/2002	Gorden F. Lupien JR.	110233	3656

27074 7590 11/02/2004
OLIFF & BERRIDGE, PLC.
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

KASSA, YOSEF

ART UNIT PAPER NUMBER

2625

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,161

Applicant(s)

LUPIEN ET AL.

Examiner

YOSEF KASSA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 9 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/16/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 10-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (U.S. Patent 5,923,788), and further in view of Suzuki et al (U.S. Patent 5,850,478).

With regard to claim 1, Rao discloses a method for adjusting, i.e., removing noise, an input image to reduce (setting border of the original image by removing noise) an amount of an output image placed over an edge disturbance, i.e., binding hole, present in an output media (display), (see col. 4, lines 1-15) comprising:

inputting a source document comprising the input image (see Fig. 1, item 1, note that the document comprises character image information);

adjusting the input image (density adjustment and coordinate setting) relative to a net image (document with character information) output area available on the output media, i.e., display, (see col. 4, lines 9-15); and

generating a copy of the adjusted input image on the output media (see col. 5, lines 26-31, note that the adjusted input image is output to a printer).

While Rao discloses changing the size of the image data by setting the output image data into black or white, Rao does not explicitly call for reduce the amount of the input image that extends over the edge disturbance. However, at the same field of endeavor, Suzuki et al taught this feature (see col. 5, lines 20-42). At the time of the invention was made, it would have been obvious to a person ordinary skill in the art to incorporate the teaching of Suzuki et al image reducing process into Rao system. The motivation doing so is to provide image reduction process relative to the detected document size information.

With regard to claim 2, Rao discloses wherein adjusting the input image comprises adjusting at least one of a horizontal or a vertical position of the original input image towards a margin opposite the edge disturbance present in the output media (see Fig. 9, which broadly reads on the process of vertical and horizontal projection of the image and the process of setting starting point (X_o, Y_o) , also see col. 7, lines 28-49).

With regard to claim 3, Rao discloses wherein adjusting the input image comprises shifting the position of the input image toward a margin opposite the edge disturbance present in the output media (see col. 4, lines 12-17, which broadly reads on the coordinate setting related to a target unnecessary area).

With regard to claim 4, Rao discloses wherein adjusting the input image comprises adjusting at least one of a horizontal dimension and a vertical dimension of the original input image with respect to the original image (see Fig. 9 and col. 6, lines 46-55).

With regard to claim 5, Rao discloses wherein adjusting the input image

Art Unit: 2625

comprises reducing at least one of the horizontal dimension and the vertical dimension of the original input image with respect to the original image (see col. 6, lines 47-67, which broadly reads on changing of the image dots value to white, which reduce the image size).

Claim 6 is similarly analyzed as claim 4.

Claim 7 is similarly analyzed as claim 5.

With regard to claim 8, Rao discloses further comprising detecting the presence of edge-disturbed, i.e., unnecessary area information, output media in an output media source (see col. 5, lines 16-31).

With regard to claim 10, Rao discloses wherein adjusting the input image comprises: determining the position of a text image, i.e., character image, (see 3, lines 28-31); and adjusting the text image (see col. 4, lines 1-12).

With regard to claim 11, Rao discloses wherein adjusting the input image further comprises at least one of shifting the position of the text image and reducing the text image (which broadly reads on the coordinate setting process and density adjustment process see col. 4, lines 1-13).

Claim 12 is similarly analyzed as claim 10.

Claim 13 is similarly analyzed as claim 11.

Claim 14 is similarly analyzed as claim 3.

Claim 15 is similarly analyzed as claims 10 and 11.

Claim 16 is similarly analyzed as claims 2 and 3.

With regard to claim 14, Rao discloses wherein the edge-disturbed output media

Art Unit: 2625

is a hole-punched sheet of paper or a transparency having a non-imaging stripe (see Fig. 2B unnecessary area).

While Rao discloses changing the size of the image data by setting the output image data into black or white, Rao does not explicitly call for reducing the size of the original input image if the input image area is larger than the net output media area available for imaging. However, at the same field of endeavor, Suzuki et al taught this feature (see col. 5, lines 20-42). At the time of the invention was made, it would have been obvious to a person ordinary skill in the art to incorporate the teaching of Suzuki et al image reducing process into Rao system. The motivation doing so is to provide an image reduction process relative to the detected document size information.

Claim 19 is similarly analyzed as claim 1, except claim 19 is system claim.

Allowable Subject Matter

2. Claims 9 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art Cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2625

US Patent No. (6,594,401) to Metcalfe et al disclose detection and elimination of scanning artifacts.

US Patent No. (6,122,393) to Schweid et al disclose image input device and method for providing scanning artifact detection.

US Patent No. (4,316,199) to greening et al discloses graphic forms overlay apparatus.

US Patent No. (5,444,799) to Hirono et al disclose image processing apparatus and method of strain correction in such and image processing apparatus.

US Patent No. (6,166,394) to rubscha disclose dual background document scanner to eliminate hole printouts.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (703) 306-5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

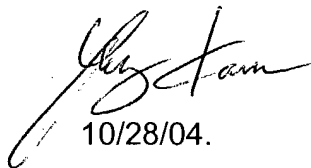
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH MEHTA can be reached on (703) 308-5246. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communication and (703) 872-9306 for after Final communications.

Art Unit: 2625

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-5631. The group receptionist number for TC 2600 is (703) 305-4700.

PATENT EXAMINER

Yosef Kassa

A handwritten signature in black ink, appearing to read 'Yosef Kassa', written over the printed name and date.

10/28/04.